

## SECTION 7

### MANIFESTS, SHIPPING PAPERS AND OTHER TRANSPORTATION RELATED REQUIREMENTS

**7-1. Purpose.** When shipping hazardous waste, hazardous materials, or other remediation materials and wastes, typically the Environmental Protection Agency (EPA), the Department of Transportation (DOT) and/or the Nuclear Regulatory Commission (NRC) regulations must be followed. In addition, state environmental offices may have more stringent requirements with respect to manifesting hazardous waste. The purpose of this section is to identify USACE policy with respect to hazardous waste manifesting, NRC manifesting, and the use of other shipping papers such as asbestos waste shipping records, chain-of-custody forms, etc. In addition, other transportation related requirements are discussed. USACE policy and guidance on hazardous waste manifests and hazardous material shipping has been issued under the following references:

- a. ER 1110-1-263, "Chemical Data Quality Management for Hazardous, Toxic, and Radioactive Waste Remedial Activities;"
- b. ER 1180-1-6, "Construction Quality Management."
- c. EP 200-1-2, "Process and Procedures for RCRA Manifesting;" and

**7-2. Background.** The RCRA addresses the "cradle-to-grave" management of hazardous waste. This includes the generation, storage, treatment, transportation and disposal of hazardous wastes. The EPA implementing regulations (40 CFR 262) require a generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal to prepare and sign the EPA Uniform Hazardous Waste Manifest Form 8700-22. This form quantifies and describes the hazardous waste in detail. The DOT also requires a shipping document that describes the transported hazardous material to accompany the shipment to its final destination. Unless the receiving state or the state where the shipment has originated from has its own manifest, the EPA Uniform Manifest is used. The manifest satisfies both EPA and DOT requirements. EPA, OSHA, and DOT regulations further require various aspects of contingency planning by hazardous waste generators.

**7-3. General.** With the exception of hazardous waste generated as the result of USACE response actions on FUSRAP, Formerly Used Defense Sites, or facilities operated and maintained by USACE, USACE is not considered to be the owner or generator of the hazardous waste it transports as part of response activities. The customer agency is the generator for purposes of execution of the hazardous waste manifest. However, due to logistic complexities, a customer may not be able to provide an individual to sign hazardous waste manifests in a timely

manner. The customer may then request USACE to sign project manifests on their behalf. The EPA regulations (40 CFR 262 appendix, item 16.) makes clear that generators may have an agent act on their behalf in signing manifest forms. Specifically the instructions say, "Generators may preprint the words "on behalf of" in the signature block or may hand write this statement in the signature block prior to signing the generator certifications." As explained in the Federal Register Notice (51 Fed. Reg. 35192), EPA did not intend to impose personal liability on the individual who actually signs the certification. Further, EPA clarified that "employees or other individuals may sign the manifest certification for a generator who is a legal entity, such as a corporation." This statement makes clear that the generator may permit persons on-site to sign on behalf of the generator, as long as the signer has clear authority from the generator to do so.

#### **7-4. Policy.**

a. It is USACE policy, if requested by its customers, to execute hazardous waste manifests and related documents on behalf of those customers when not precluded by state statutes or regulations. Currently, USACE is signing manifest forms and related documents on behalf of EPA, FEMA, and FSA.

b. Manifest execution and related responsibilities will be performed by USACE at sites or facilities where USACE is considered the owner/generator of the hazardous waste. Examples of such sites include civil works facilities or where USACE is considered the agency responsible for the waste such as DERP-FUDS and FUSRAP sites.

c. With regard to DERP-Installation Restoration (IR) and BRAC environmental restoration activities, manifest execution and related responsibilities ordinarily belong to the customer (i.e., the installation or the base).

d. With regard to OE response actions on FUDS sites, if the OE Design Center is responsible for the execution (not the geographical district), a representative from the OE Design Center or the contractor shall be responsible for meeting all regulatory requirements and signing the manifests and related documents.

e. When the additional cost of sending a qualified USACE representative to a remote location for a small clean up project is unwarranted, the option of requiring the on-site contractor to sign the manifests on behalf of the generator is permitted and should be considered. This option can only be exercised on a project-specific basis after written authorization from the customer and approval of the Chief of Construction Division at the executing district have been given. Requirements for the contractor to sign the manifests must be approved, as noted above, prior to the solicitation process and be incorporated into the technical provisions of the contract solicitation.

f. In the past, FUSRAP contractors were executing manifests and other shipping documents on the government's behalf. As new contracts are awarded by the USACE, the USACE will assume these responsibilities.

**7-5. Procedures.** Where USACE personnel execute Uniform Hazardous Waste Manifest forms and related documents, procedures will be adopted by the executing districts and centers as described below:

a. In the Generator's Name and Mailing Address box (block #3) on the Uniform Hazardous Waste Manifest form, USACE authorized personnel shall enter the following information: "Environmental Protection Agency/Superfund Program," "DOD (DERP/FUDS)," "FEMA," or "Department of Agriculture/FSA" as appropriate followed by "c/o" and then the name and address of the USACE office that manages the returned manifest forms. In the generator's certification box (Block #16), for Superfund sites, the authorized USACE employee would then sign his or her name, followed by "USACE" after writing or printing the phrase "On behalf of the Environmental Protection Agency." On FUDS sites, USACE personnel should follow the same procedure after typing or printing the phrase "On behalf of the Department of Defense." For FEMA sites the authorized USACE employee would sign his or her name, followed by "USACE" after writing or printing the phrase "On behalf of the Federal Emergency Management Agency," and so on. All other manifest related documents executed by USACE members on behalf of a customer shall be executed by signature followed by USACE after writing or printing the phrase "On behalf of the (customer's name)."

b. On facilities where USACE is the "owner/generator" of hazardous wastes or the "responsible agency," such as civil works facilities or FUSRAP sites, USACE personnel shall enter in block #3 on the manifest form "U.S. Army Corps of Engineers," followed by the name and address of USACE office that manages the returned manifest forms. In the generator's certification block (block #16), the USACE authorized employee would sign his or her name after typing or printing the phrase "On behalf of the U.S. Army Corps of Engineers."

c. When the contractor signs the manifest form on behalf of the USACE or a customer, the contractor will enter, in block #3, the name and address of its organization. In the generator's certification box (block #16), the contractor's authorized employee would sign his or her name after typing or printing the phrase "On behalf of the U.S. Army Corps of Engineers" or "On behalf of (the name of the customer/agency)," as appropriate.

d. USACE personnel authorized to execute manifest forms and related documents shall ensure compliance with all reporting requirements (e.g., exceptions reports, biennial reports and state reports) as well as follow-on requirements, including the assembly and retention of all appropriate documentation and certifications.

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e. USACE personnel executing hazardous waste manifests and related documents must ensure that the USACE is authorized by its customers to execute hazardous waste manifests and related documents on their behalf prior to such documents being executed. The customer request and authorization must acknowledge that the customer retains all responsibilities for the hazardous waste as a generator. This shall extend to the execution of the hazardous waste manifests, land disposal restriction notification and certifications, waste profile sheets, and other forms necessary for the completion of manifests for transportation and disposal of hazardous waste. This authorization, as well as a customer statement retaining all generator responsibilities, is most appropriately incorporated as a specific provision within a Memorandum of Agreement, IAG, or correspondence signed by a recognized agency official. Authorization for executing and certifying manifest forms and related documents on behalf of EPA is delegated in EPA's letter dated 18 October 1990 (a copy of the letter is in Appendix F). Authorization for executing and certifying manifest forms and related documents on behalf of FSA must be obtained on a project-by-project basis. FEMA's authorization is provided in the MOA between the U.S. Army and FEMA, signed in 1991.

f. Approval to undertake the delegated responsibility of signing manifest forms and related documents for customers other than EPA, FEMA, and FSA rests with the chief of construction division at the executing district. If state statutes or regulations do not permit the USACE to sign such documents on behalf of the customer, the RE or other designated USACE representative is to contact the PM for further guidance.

g. All USACE employees executing hazardous waste manifests and related documents must receive appropriate training before executing such documents. Training records fulfilling all regulatory requirements must be documented and maintained onsite during the life of the project in the event of a regulatory inspection. Once the contract is closed, these should become part of the official contract file. Training requirements and PROSPECT courses that satisfy these requirements are presented in paragraph 5-3b. of Section 5, "Training."

h. Only USACE members formally designated and authorized by a MSC or district commander/deputy commander shall be allowed to execute hazardous waste manifests and related documents for that site. The authorization letter should identify that the individual is within his/her scope of employment when executing manifests and related documents. In order to document appropriate training and the scope of an individual's signature authority, a nomination and authorization procedure must be implemented. All persons nominated to be manifest certifying officials must have completed the required training and obtained certification. The nomination package should contain a one-page summary of the person's training and experience in HTRW and manifesting. The nomination package should also have the authorization letter (to be coordinated with the local counsel) ready for signature. The authorization letter must clearly state that the execution of manifests and related documents are within the scope of the individual's official duties. The nomination should further provide

information that the person has satisfactorily performed as a USACE employee. For FUSRAP sites, only the District Engineer with delegated FUSRAP responsibility for a particular site shall authorize USACE personnel to sign manifests and shipping documents for that site. Prior to offsite transport of waste, the responsible USACE District must ensure that the waste has been adequately characterized for the potential presence of radioactive contaminants and hazardous waste. Waste will be transported only to facilities that may lawfully accept the contaminants present in the waste.

i. Where USACE employees are executing hazardous waste manifests and related documents, the contract under which the waste is being transported must address supporting chemistry-related requirements and procedures. These items are imposed by the specifications and addressed by the contractor in the Sampling and Analysis Plan (SAP). The SAP addresses among other things, laboratory activities, chemical data documentation, equipment, sampling documentation, quality control, sample custody and shipment, analytical methods and document preparation. The project specific supplement to the QA Plan, developed by the RE, must define the USACE quality assurance role in the manifesting process. Area and Resident Engineers are encouraged to periodically request a review (by qualified in-house project support staff such as regulatory specialists, chemists, industrial hygienists or the HTRW CX) of project specific transportation and disposal related documents prior to signature. This is especially true in the case of a large and variable number of waste streams.

j. When USACE or customers are going to be signing hazardous waste manifests, but contractors are going to be preparing materials for shipment, the contractor should be required by contract to certify that materials have been properly packaged, labeled, and marked in accordance with all Federal and state regulations. This will enable the USACE/customer representative to certify on the manifest that the materials are properly packaged, labeled, and marked even though these activities were conducted by other persons. Likewise, the contractors should be required to certify as accurate any other documents he prepares relative to the shipment of hazardous waste including the manifest, the Land Disposal Restriction Notifications and waste profile sheets. All contractor certifications should be retained by USACE as supporting documentation in accordance with paragraph 3-12 of Section 3, "USACE Administered Projects."

k. For FUSRAP sites, a large volume of soil will be moved by rail. In such a case, the words "and rail" must be added to the language currently found in block 16 of the hazardous waste manifest. The two words should be added after the word "highway" in the certification block as described in the instructions for completing the manifest in the appendix to Part 262. The word "highway" should be crossed out if the shipment from the site to the disposal facility is entirely by rail. In addition, when transporting by rail, the manifest is not handled in the same manner as for the highway mode. Section 49 CFR 172.205(f) should be consulted for the additional requirements pertaining to manifest dissemination when waste is transported by rail. In addition to RCRA manifest requirements, there may be instances when a NRC Uniform Low

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Level Radioactive Waste Manifest is required. In general this NRC manifest will be required on sites with low level radioactive wastes as defined by the NRC or it may be required by the recycling or disposal facility for shipments of low activity radioactive material. The NRC manifest and associated requirements can be found in Appendix G to 10 CFR 20. This NRC manifest, when properly completed, will fulfill the NRC and DOT requirements. It should be noted that there will be situations when neither a NRC nor a hazardous waste manifest is required, however a DOT shipping paper may be required (most likely due to a reportable quantity of radionuclides in the package). Conversely, there may be situations when both a NRC and a hazardous waste manifest will be required. Lastly, there may be situations when the FUSRAP remediation waste is not regulated by EPA, NRC or DOT. For example, if the waste contains less than 2000 picocuries per gram and there is not a reportable quantity of any hazardous substance in the shipment and the waste does not contain a hazardous waste, then the shipment would not be regulated by the EPA, NRC, or DOT. In those cases, while not required by Federal regulations, the USACE requires a chain-of-custody form be developed and used to track all FUSRAP shipments to treatment and/or disposal facilities (See paragraph 7-10a. of this section).

l. As per 49 CFR 172 subpart G, a person who offers a hazardous material for transportation must provide a 24-hour emergency response telephone number for use during the event of an emergency. This number must be monitored at all times the hazardous material is in transportation and the person must be either knowledgeable about the material and has comprehensive emergency information or has immediate access to a person who possesses such knowledge and information. This number must be entered on the shipping papers (hazardous waste manifests, NRC manifests, Bills of Lading, Asbestos Waste Shipment Records, etc.). The Corps may retain this duty or contractually require the contractor to perform this duty.

m. For all wastes shipped on a hazardous waste manifest (including TSCA regulated PCBs), a copy of the hazardous waste manifest with the written signature of the owner or operator of the designated treatment/storage/disposal (TSDF) facility should be received within 35 days of the date the waste was accepted by the initial transporter. If this copy is not received from the TSDF within this period, the USACE signatory of the manifest must contact the transporter and/or owner or operator of the designated facility on the 35th day to determine the status of the waste. If a copy of the signed hazardous waste manifest is not received within 45 days of the date the waste was accepted by the initial transporter, an Exception Report must be filed on the 45th day with the EPA and/or authorized state hazardous waste office as required in 40 CFR 262.42. The RE must assure that office procedures are in place for manifest signatory to track receipt of the TSDF manifest copy and provide for timely issuance of the Exception Report as required.

**7-6. DOT Regulated Materials.** For DOT regulated hazardous materials that are not transported with EPA hazardous waste manifests or NRC manifests, either the contractor (if

required by the contract) or a USACE member formally designated as specified above may sign the DOT shipping papers with the exception of any FUSRAP waste. DOT training is mandatory to perform this function.

#### **7-7. Sample Shipments.**

a. There are instances when analytical samples may be considered RCRA regulated hazardous wastes, TSCA PCB wastes, and/or DOT regulated hazardous materials. However, RCRA and TSCA provide an important exclusion for analytical samples being transported to and from the laboratory if the sample meets the conditions outlined below. If the samples meet the terms specified below, a hazardous waste manifest is not needed. If the terms are not met, a manifest is required for transporting these samples to and from the laboratory.

(1) Under Federal EPA regulations, a sample of solid waste or a sample of water, soil, or air, which is collected for the sole purpose of testing to determine its characteristics or composition, is not subject to the manifesting requirements of RCRA or TSCA, when:

- the sample is being transported to a laboratory for the purpose of testing; or
- the sample is being transported back to the sample collector after testing; or
- the sample is being stored by the sample collector before transport to a laboratory for testing; or
- the sample is being stored in a laboratory before testing; or
- the sample is being stored in a laboratory after testing but before it is returned to the sample collector; or
- the sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).

(2) In order to qualify for the exemption from manifesting under RCRA and/or Toxic Substances Control Act (TSCA) regulations, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector must:

- comply with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or
- comply with the chain-of-custody and packaging requirements found in either 40 CFR 261.4(d)(2)(ii) or 40 CFR 761.65(i)(3) (e.g., include sample collector's name, mailing address, and telephone number; laboratory's name, mailing address, and telephone number; quantity; date of shipment; sample description; and package the sample so that it does not leak, spill, or vaporize).

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b. While a sample may be excluded from the RCRA and/or TSCA manifesting requirements, the sample may still be considered a DOT regulated hazardous material if the sample collector anticipates that the sample meets a DOT hazardous class. For example, a sample preserved with acid may exhibit a corrosive hazard class (class 8), a sample of TNT contaminated soil may be explosive (class 1) or a flammable solid (class 4.1), a sample involving chemical agent may be toxic (class 6.1) or may be an irritant (class 9). For samples suspected to be regulated hazardous materials, compliance with the DOT regulations in 49 CFR 171-180 is mandatory. This includes the appropriate requirements for the preparation of shipping papers, marking, labeling, packaging and placarding. In addition, if these samples are to be shipped by air, the International Air Transport Association (IATA) regulations must be followed. Companies routinely used to ship samples will have a Dangerous Goods Bill of Lading or similar shipping document that should be used when transporting samples that may potentially be DOT hazardous materials. In addition, persons offering these shipments must be DOT trained and emergency response information must be provided to the shipper.

c. Detailed guidance pertaining to the transportation of samples that are potentially hazardous materials can be found in Appendix F of EP 200-1-3.

#### **7-8. Asbestos Waste Shipment Records.**

a. Asbestos-containing waste material is regulated by EPA under the Clean Air Act. DOT also regulates Asbestos Containing Material (ACM) as a hazardous material during the course of transportation. OSHA has also established worker protection standards (including training requirements) for all activities that involve ACM such as manufacturing, fabricating, and demolition and renovation of structures that contain ACM. Many states have been authorized by EPA (EPA agreement states) to act as the regulatory authority for asbestos abatement activities. The state regulations may be more stringent than the Federal regulations but as a minimum should meet the Federal requirements.

b. The EPA requires the use of an asbestos Waste Shipment Record (WSR) or a similar form when ACM is transported offsite (40 CFR 61.150(d)). Though not a federally regulated hazardous waste, a hazardous waste manifest could be used when shipping asbestos if all the WSR required information is placed on the manifest. The following additional information is required to be placed on any form used to transport asbestos:

- (1) name, address, and telephone number of the waste generator;
- (2) name and address of the local, state, or EPA regional office responsible for administering the NESHAP program;
- (3) approximate quantity of asbestos in cubic meters or yards;



- (4) name and telephone number of the disposal site operator;
- (5) name and physical site location of the disposal site;
- (6) transport date;
- (7) name, address, and telephone number of the transporter(s); and

(8) a certification that the contents are fully and accurately described by the proper shipping name and are classified, packed, marked, placarded, and labeled and are in all respects in proper condition for transport by highway according to applicable regulations.

c. In addition to the information required on the WSR or similar form, asbestos is a DOT regulated hazardous material thus all DOT shipping paper, labeling, marking, packaging and placarding requirements must be met. The WSR, manifest, or a similar form may be used as the DOT shipping paper if all the required DOT information (49 CFR 172 subpart C) is also included on the form.

d. Unless specified otherwise in the asbestos demolition and renovation contract, the prime contractor is considered to be both the operator and authorized agent for the waste generator and will be required to complete and sign the generator portion of the WSR (Operator's certification, line 9 of the WSR form), and be responsible for ensuring that both the transporter and the waste disposal site owner/operator complete and sign their sections of the form. This is in line with the NESHAP regulations, 40 CFR Part 61.

e. NESHAP (40 CFR 61.150(a)) specifies that containers or wrapped materials that contain asbestos-containing waste material must have warning labels specified by OSHA under 29 CFR 1926.1101(k)(8). Labels will indicate the name of the waste generator and location where the waste was generated. NESHAP 40 CFR 61.150(c) requires that vehicles used to transport asbestos-containing waste material be marked with a warning sign during loading and unloading of the waste. The specific EPA marking requirements for vehicles are found in 40 CFR 61.149(d). In addition, compliance with the DOT regulations in 49 CFR 171-180 is required when transporting asbestos as asbestos is a DOT regulated hazardous material.

f. This WSR will be provided to the owner or operator of the waste disposal facility at the time the waste is delivered to that facility. Upon completion of this "cradle-to-grave" reporting procedure, the contractor must return the original completed and signed WSR to the USACE RE within the timeframe established by the contract. The RE must maintain a copy of the completed WSR for the contract file and provide the original to the facility owner/waste generator.

g. EPA regulations (40 CFR 61.150(d)(3) and (4)) state that if the WSR signed by the

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disposal site owner or operator is not received by the waste generator (or its authorized agent) within 35 days of the date the waste was accepted by the initial transporter, the waste generator/authorized agent shall contact the transporter and/or disposal site owner/operator to determine the status of the waste shipment. NESHAP directs the waste generator to submit an exception report to EPA if the signed WSR is not received within 45 days of the date the waste was accepted by the initial transporter. The prime contractor is responsible for completing the exception report on behalf of the waste generator and submitting it to the NESHAP office with a copy to the RE. WSRs must be kept on-site by the generator for at least two years as specified in 40 CFR 61.150(d)(5).

h. For demolition and renovation contracts, designated Corps personnel shall be assigned the responsibility of overseeing contractor actions and assuring that the WSR is properly prepared, signed by all parties, and returned within the established timeframes. USACE personnel must be trained as described in paragraph 5-4 of Section 5, "Training."

i. The Abatement Contractor must provide a person or persons who are both trained in NESHAP/state regulations and DOT regulations as per 49 CFR 172, Subpart H and capable of complying with them. That person is required to be onsite whenever regulated ACM is stripped, removed, or disturbed. EPA training requirements are provided in 40 CFR 61.145 (c)(8). AR 200-1, Chapter 8, also requires that Army personnel involved in asbestos abatement activities meet the EPA's Model Accreditation Plan training requirements found in 40 CFR 763, Appendix C to Subpart E. For a complete discussion of training requirements, see Section 5, "Training," of this pamphlet.

**7-9. Nuclear Regulatory Commission Manifests.** For Nuclear Regulatory Commission (NRC) manifests, the policies and procedures outlined for hazardous waste manifests, training, and record keeping are applicable.

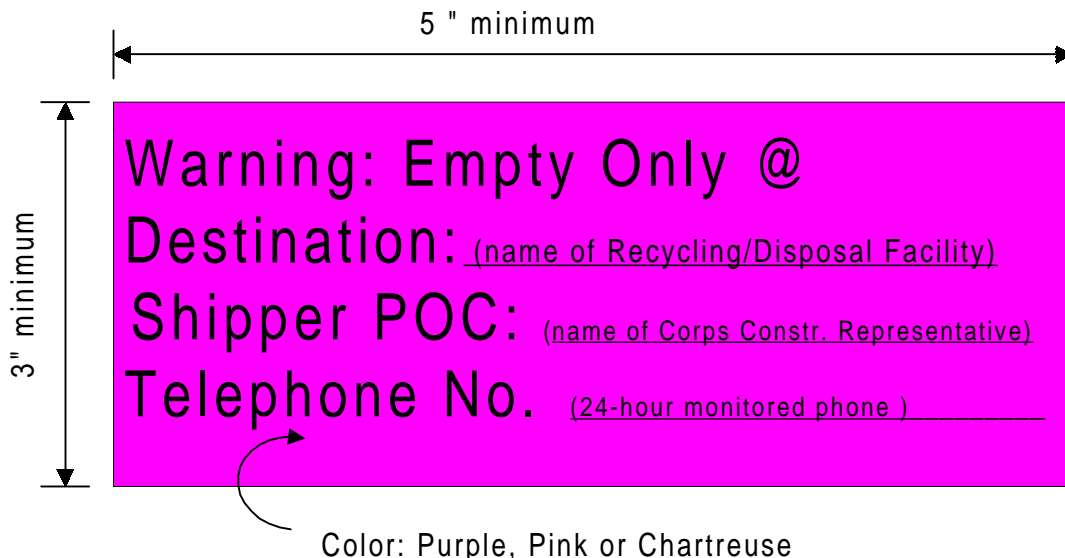
**7-10. Other FUSRAP and Radioactive Waste Shipping Requirements.**

a. In some cases, FUSRAP and radioactive wastes will not be regulated during the course of transportation by the DOT, EPA or the NRC. In these instances, a chain-of-custody form shall be developed and used for each shipment of waste in order to track the waste from the original site to ultimate placement/disposal. A copy of that document shall be placed in the project file. An example chain-of-custody form can be found in EP 200-1-2.

b. There is a basic Corps of Engineers disposal notification requirement for all radioactive and FUSRAP wastes. HQUSACE requires all USACE disposal of Low Level Radioactive Waste (LLRW) (both DOD and non-DOD generated) to be reported to the HTRW CX prior to shipment. This is strictly for record keeping purposes. The HTRW CX maintains the data and reports this data to HQUSACE. The notification requirements found in the

memorandum can be found in EP 200-1-2.

c. In addition to the DOT markings and labels, a specially designed label shall be placed on all containers of FUSRAP waste regardless of whether the material is a hazardous material or not. The label indicates the Disposal/Recycling Facility destination and a telephone number of a USACE point of contact with knowledge of the contents. This additional label duplicates existing information that is required on shipping papers for DOT hazardous materials. Therefore it must not violate any DOT requirements or create any confusion (e.g., label color). Several highly visible labels must be placed on top of the container liner (e.g., burrito bags in gondolas) or exterior sides of transport vehicles, to ensure workers observe the information. The label should read as shown. Labels may be ordered through any commercial label manufacturing company; however, the label specification should adhere to the design shown at Figure 7-1.



**Figure 7-1, FUSRAP Waste Label**

d. Since a majority of the FUSRAP waste is shipped via railroad, FUSRAP Districts should obtain access rights to the NetREDI internet system. The NetREDI system, developed by the American Association of Railroads, receives input from over 300 railroads for shipments. The NetREDI system is an immediately available resource for the construction representatives or project managers if they want an instant method to verify tracking information supplied by their contractors. Free registration can be obtained by calling (800) 872-1045 ext 65403 or <http://registration.railnetredi.com/>

#### **7-11. The Off-Site Rule Requirement.**

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a. **CERCLA Requirement.** Besides the waste profile, manifest, and land disposal restriction notification paperwork, there is an additional obligation found under the implementing regulations of CERCLA. That requirement is the "Off-Site Rule" found at 40 CFR 300.440 *Procedures for planning and implementing off-site response actions*. Basically, the regulation requires that when CERCLA waste is to be managed off-site, the waste must be managed in a permitted facility that is not releasing hazardous waste, hazardous constituents, or hazardous substances into the environment. Further, the authority of this regulation applies to entities conducting removals and remedial actions under CERCLA authority at any type of site (Superfund, FUDS, IRP, BRAC, FUSRAP, etc.).

b. **Verification of Facility Status.** The treatment and disposal facility compliance is determined by the EPA Regional Administrator in which the facility resides. Thus, it is necessary that prior to shipping CERCLA remediation wastes off-site that the EPA regional point of contact be called to verify the facility status. The Regional POCs can be obtained from the EPA Hotline (1-800-424-9346). While there is no regulatory requirement to maintain a record of the conversation, it is highly recommended that the call be documented so that you can prove to a regulator that you did indeed make the phone call if questioned.

**7-12. Certificates of Disposal/Destruction/Placement.** While not a Federal regulatory requirement, USACE requires that for all hazardous wastes, CERCLA remediation wastes, FUSRAP wastes, asbestos, PCBs, etc., a "Certificate of Disposal/Destruction/Placement" be required from the ultimate disposal facility. The certificate must correlate to each shipment of waste to the facility. This certificate will be a requirement of the contract. The certificate shall be placed in the project/site file.

**7-13. Spill Reporting Procedures.** USACE spill reporting procedures can be found on the Internet at:

<http://www.environmental.usace.army.mil/info/technical/comply/complys/complys.html>

Each district currently has an Emergency Operations Center (EOC) or an Emergency Management Office (EMO). USACE ER 500-1-1, chapter 11, requires all districts to have a designated EOC/EMO and a plan outlining the upward reporting requirements should a natural disaster or hazardous material spill occur. It is recommended that the district (MSCs) build upon the existing emergency response structure by including any additional hazardous waste and/or FUSRAP reporting requirements within their existing plans.

**7-14. Additional Information.**

a. EP 200-1-2 outlines the requirements for proper disposal of RCRA waste and shipment of hazardous materials. The pamphlet covers the following subjects and more:

- (1) obtaining a generator number;
- (2) properly describing the waste;
- (3) shipping paper requirements;
- (4) signature requirements;
- (5) record-keeping requirements;
- (6) marking, labeling and placarding requirements;
- (7) spill reporting requirements;
- (8) responsibilities as a generator and as QA personnel;
- (9) liabilities associated with transporting hazardous materials;
- (10) technical assistance hotline numbers, web sources, and sources of training; and
- (11) manifest preparation checklists.

The EP can be found on the Internet at:

<http://www.usace.army.mil/inet/usace-docs/eng-pamphlets/ep.htm>

b. The HTRW CX publishes a newsletter titled "Environmental Compliance and Transportation Information Bulletin" for distribution to districts and divisions. The document disseminates changes in hazardous material transportation requirements and regulations. The Bulletin is available on the Internet at:

<http://www.environmental.usace.army.mil/info/technical/comply/complpub/complpub.html>

c. The HTRW CX also has a web site that contains additional HTRW regulatory compliance information. Most helpful would be the Environmental Regulatory Fact Sheets and Frequently Asked Questions. The web address is as follows:

<http://www.environmental.usace.army.mil/info/technical/comply/comply.html>

d. In addition, all field offices that transport hazardous materials must have access to the latest federal and state regulations in order to keep current with all requirements. The Code of Federal Regulations is now available on the Internet at:

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>

e. Field personnel also need to review state regulations for appropriate requirements as they often differ from the Federal requirements. State regulations are available to government

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employees at no cost on the Internet at:

<http://www.denix.osd.mil/>